

REMARKS/ARGUMENTS

Applicant thanks the examiner for the careful examination given to the present application. The application has been reviewed in light of the Office action, and it is respectfully submitted that the application as amended, is patentable over the art of record. Reconsideration of the application as amended is respectfully requested.

Claims 13-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 13-15 have been rewritten in independent form. Therefore, claims 13-18 are in condition for allowance.

Claims 1-3, and 6-10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kanbara et al. (U.S. Patent No. 6,516,201). For the following reasons, the examiner's rejection is respectfully traversed.

Kanbara does not disclose or teach a "multi-mode cellular phone terminal supporting a plurality of communication systems, ...and said signal processing means is composed of hardware to execute signal processing supporting a plurality of communications systems" as recited in claim 1.

Kanbara discloses a dual-mode radio communication apparatus, which may function in a voice communication mode or a data communication mode. In Kanbara, the radio communication apparatus is designed for the CDMA (Code Division Multiple Access) communications system. However, Kanbara does not disclose or teach that the radio communications apparatus may support more than one communications system. Therefore, although Kanbara discloses two communication modes, Kanbara does not disclose or teach supporting a plurality of communications systems. Kanbara also fails to disclose or teach that

the signal processing means has hardware to execute signal processing supporting a plurality of communications systems. Thus, Kanbara does not disclose or teach all the elements of the claimed invention.

With regards to claim 6 and 7, Kanbara does not disclose or teach that “signal processing means executes modulation/demodulation supporting a plurality of communications systems” as recited in claims 6 and 7. As mentioned previously for claim 1, Kanbara discloses that the radio communication apparatus is designed for use with only one communications system. Therefore, Kanbara fails to disclose or teach that signal processing means executes modulation/demodulation supporting a plurality of communications systems. Thus, Kanbara does not disclose or teach all the elements of the claimed invention.

With regards to claim 10, Kanbara does not disclose or teach that “communications control means has a controller supporting a plurality of communications systems” as recited in claim 10. As mentioned previously for claim 1, Kanbara discloses that the radio communication apparatus is designed for use with only one communications system. Therefore, Kanbara fails to disclose or teach a controller that supports a plurality of communication systems. Thus, Kanbara does not disclose or teach all the elements of the claimed invention.

Claims 4, 5, 11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kanbara in view of Ohbichi et al. (U.S. Patent No. 5,585,617). For the following reasons, the examiner’s rejection is respectfully traversed.

There is no suggestion or motivation for one skilled in the art at the time the invention was made to combine Kanbara with Ohbichi to arrive at the claimed invention. Kanbara discloses a radio communication apparatus that is designed for use with only one communications system. Ohbichi discloses a non-contact IC card capable of communicating

with external equipment at various communication frequencies. There is no suggestion or motivation in Kanbara of designing or using the radio communication apparatus with more than one communications system or with various communication frequencies. Therefore, there is no motivation to look at or use the frequency switching circuit elements in Ohbichi. The desirability of such a modification is found only in the Applicant's own description of the invention, in contrast to the requirement that the teaching or suggestion to make the modification must be found in the prior art, and not based on an applicant's disclosure. Reconsideration and withdrawal of the rejection based upon the combination of references is respectfully requested.


In light of the foregoing, it is submitted that the application as amended is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the application.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 16-0820, our Order No. 33670.

Respectfully submitted,

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